

Appendix A: Triad Area Federal Register Notices

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52****[EPA-R04-OAR-2005-NC-0002-200538(a); FRL-8049-2]****Approval and Promulgation of Implementation Plans; North Carolina: Charlotte, Raleigh-Durham, and Winston-Salem Areas Second 10-Year Maintenance Plan for the Carbon Monoxide National Ambient Air Quality Standard****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Direct final rule.

SUMMARY: The EPA is approving a revision to the North Carolina State Implementation Plan (SIP) submitted in final form on March 23, 2005. The SIP revision provides the second 10-year maintenance plan for the Charlotte, Raleigh-Durham, and Winston-Salem Carbon Monoxide Maintenance Areas, which are composed of the following four counties: Mecklenburg (Charlotte Area); Durham and Wake (Raleigh-Durham Area); and Forsyth (Winston-Salem Area). The second 10-year maintenance plan includes new motor vehicle emission budgets (MVEBs) for carbon monoxide for the year 2015. EPA is approving this SIP revision, including the new 2015 MVEBs for carbon monoxide, because it satisfies the requirement of the Clean Air Act (CAA) for the second 10-year maintenance plan for the Charlotte, Raleigh-Durham, and Winston-Salem Areas.

In addition, in this rulemaking, EPA is providing information on its transportation conformity adequacy determination for new MVEBs for the year 2015 that are contained in the second 10-year carbon monoxide maintenance plan for the Charlotte, Raleigh-Durham, and Winston-Salem Areas. EPA determined that the 2015 MVEBs are adequate through a previous action.

DATES: This direct final rule is effective May 23, 2006 without further notice, unless EPA receives adverse comment by April 24, 2006. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the *Federal Register* and inform the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No EPA-R04-OAR-2005-NC-0002, by one of the following methods:

1. <http://www.regulations.gov>: Follow the online instructions for submitting comments.
2. E-mail: wood.amanetta@epa.gov.

3. Fax: (404) 562-9019.

4. Mail: "EPA-R04-OAR-2005-NC-0002", Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960.

5. Hand Delivery or Courier: Amanetta Wood of the Air Quality Modeling and Transportation Section at the Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8:30 to 4:30, excluding federal holidays.

Instructions: Direct your comments to Docket ID No. : "EPA-R04-OAR-2005-NC-0002". EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit through <http://www.regulations.gov> or e-mail, information that you consider to be CBI or otherwise protected. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

Docket: All documents in the electronic docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 to 4:30 excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: Amanetta Wood of the Air Quality Modeling and Transportation Section at the Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9025. Ms. Amanetta Wood can also be reached via electronic mail at wood.amanetta@epa.gov.

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I. What Is the Background for This Action?

In 1994, based on measured air quality data, the Charlotte, Raleigh-Durham, and Winston-Salem Areas were able to demonstrate attainment with the carbon monoxide National Ambient Air Quality Standard (NAAQS) due to numerous control measures implemented in each of the respective Areas. As a result of the measured air quality data, North Carolina petitioned

EPA for redesignation of these three Areas to attainment for carbon monoxide. In 1994, EPA redesignated the Winston-Salem Area to attainment based on the measured air quality data and a 10-year maintenance plan submitted for the Winston-Salem Area (59 FR 48399). In 1995, EPA redesignated both the Charlotte Area and the Raleigh-Durham Area to attainment based on the measured air quality data and the 10-year maintenance plan submitted for these areas (60 FR 39258).

The air quality maintenance plan is a requirement of the 1990 CAA amendments for nonattainment areas that come into compliance with the NAAQS to assure their continued maintenance of that standard. Eight years after redesignation to attainment, section 175A(b) of the CAA requires the state to submit a revised maintenance plan which demonstrates that attainment will continue to be maintained for the 10 years following

the initial 10-year period (this is known as the second 10-year maintenance plan). The second 10-year maintenance plan updates the original 10-year carbon monoxide maintenance plan for the next 10-year period. Thus, pursuant to the CAA section 175A(b), North Carolina was required to submit the second 10-year maintenance plan for the Charlotte, Raleigh-Durham, and Winston-Salem Areas demonstrating that it would continue to attain the carbon monoxide NAAQS in those Areas through 2015.

II. What Is EPA's Analysis of the Charlotte, Raleigh-Durham, and Winston-Salem Areas' Second 10-Year Maintenance Plan?

On March 23, 2005, the State of North Carolina, through the North Carolina Department of Environment and Natural Resources (NCDENR), submitted a SIP revision to EPA that provided for the second 10-year maintenance plan for the Charlotte, Raleigh-Durham, and Winston-Salem Areas as required by section 175A(b) of the CAA. This

second 10-year maintenance plan for the Charlotte, Raleigh-Durham, and Winston-Salem Areas includes a new carbon monoxide emission inventory for 2000 which reflects emission controls applicable for the Charlotte, Raleigh-Durham, and Winston-Salem Areas, and actual and projected emissions for 2000, 2005, 2010, and 2015. The SIP revision also establishes new MVEBs for carbon monoxide for 2015 for the Charlotte, Raleigh-Durham, and Winston-Salem Areas.

The emission reduction measures for carbon monoxide emissions implemented in the Charlotte, Raleigh-Durham, and Winston-Salem Areas from 1995 to 2005, and control measures that are projected to occur between 2005 and 2015, are accounted for in the 2000 emission inventory and projected emissions estimates. The following three tables provide emissions data and projections for carbon monoxide. The on-road mobile portion of the data was calculated with Mobile 6.2.

TABLE 1.—CHARLOTTE CARBON MONOXIDE AREA—MECKLENBURG COUNTY EMISSION INVENTORY AND PROJECTED CO EMISSIONS (2000–2015)

[Calculated in tons per day]

	Area	Non-road mobile	On-road mobile	Point	Total
2000	24.97	142.23	522.39	5.58	695.17
2005	29.42	160.64	431.03	6.43	627.52
2010	32.42	171.27	357.99	7.45	569.13
2015	34.96	181.77	328.79	8.27	553.79

TABLE 2.—RALEIGH-DURHAM CARBON MONOXIDE AREA—DURHAM AND WAKE COUNTY EMISSION INVENTORY AND PROJECTED CO EMISSIONS (2000–2015)

[Calculated in tons per day]

	Area	Non-road mobile	On-road mobile	Point	Total
Durham County:					
2000	13.45	31.98	178.79	0.86	225.08
2005	15.44	34.12	152.32	0.91	202.79
2010	16.73	31.52	118.71	0.98	167.94
2015	17.99	28.82	105.30	1.05	153.16
Wake County:					
2000	35.21	87.26	419.46	1.36	543.29
2005	41.45	97.02	362.51	1.44	502.42
2010	45.36	102.61	300.12	1.57	449.66
2015	49.21	108.12	282.39	1.69	441.41

TABLE 3.—WINSTON-SALEM CARBON MONOXIDE AREA—FORSYTH COUNTY EMISSION INVENTORY AND PROJECTED CO EMISSIONS (2000–2015)

[Calculated in tons per day]

	Area	Non-road mobile	On-road mobile	Point	Total
2000	25.13	40.35	259.88	2.56	327.92
2005	29.58	44.07	211.02	2.49	287.16
2010	32.10	43.50	168.17	2.61	246.38
2015	34.51	43.00	145.05	2.76	225.32

The attainment level of emissions is the level of emissions during one of the years in which the area met the NAAQS. The Charlotte, Raleigh-Durham, and Winston-Salem Areas continued to attain the carbon monoxide NAAQS based on air quality data for the year 2000. Therefore, in this SIP revision, the emissions from the year 2000 are used to calculate a new attainment emissions level for the Charlotte, Raleigh-Durham, and Winston-Salem Areas. The emissions from point, area, nonroad, and mobile sources in 2000 equal 695.17 tons per day (tpd) of carbon monoxide for Mecklenburg County, 225.08 tpd for Durham County, 543.29 tpd for Wake County, and 327.92 tpd for Forsyth County. The projected carbon monoxide emissions for the year 2015 equal 553.79 tpd for Mecklenburg County, 153.16 tpd for Durham County, 441.41 tpd for Wake County, and 225.32 tpd for Forsyth County. These emission calculations were made using the MOBILE6.2 model and the most recent version of the nonroad model. The

projected emissions are lower than the attainment level of emissions, thus demonstrating continued maintenance of the carbon monoxide NAAQS.

The safety margin is the difference between the attainment level of emissions (from all sources) and the projected level of emissions (from all sources) in the maintenance plan. The safety margin is for the entire Charlotte, Raleigh-Durham, and Winston-Salem Areas and is sub-allocated by county. The safety margin credit, or a portion thereof, can be allocated to the transportation sector, however, the total emission level must stay below the attainment level. The safety margin for carbon monoxide is the difference between these amounts or, in this case, 141.39 tpd for Mecklenburg County for 2015, 71.92 tpd for Durham County for 2015, 101.88 tpd for Wake County for 2015, and 102.59 tpd for Forsyth County for 2015. The emissions are projected to maintain the Charlotte, Raleigh-Durham, and Winston-Salem Areas' air quality

consistent with the carbon monoxide NAAQS.

Maintenance plans and other control strategy SIPs create MVEBs for criteria pollutants and/or their precursors to address pollution from cars and trucks. The MVEB is the portion of the total allowable emissions that is allocated to highway and transit vehicle use and emissions. The MVEB serves as a ceiling on emissions from an area's planned transportation system.

The MVEB concept is further explained in the preamble to the November 24, 1993, Transportation Conformity Rule (58 FR 62188). The preamble also describes how to establish and revise MVEBs in a SIP. In this SIP revision, the Charlotte, Raleigh-Durham, and Winston-Salem Areas used MOBILE6.2 to establish MVEBs for carbon monoxide for the year 2015. The State of North Carolina has chosen to allocate the entire safety margin to the transportation section. These MVEBs are listed in Tables 4.1, 4.2, and 4.3.

TABLE 4.1.—MECKLENBURG COUNTY 2015 MVEB WITH SAFETY MARGIN INCLUDED

	2015 projected on-road emissions (tons per day)	Safety margin	2015 MVEB with safety margin
CO	328.79	141.39	470.18

TABLE 4.2.—DURHAM COUNTY 2015 MVEB WITH SAFETY MARGIN INCLUDED

	2015 projected on-road emissions (tons per day)	Safety margin	2015 MVEB with safety margin
CO	105.30	71.92	177.22

TABLE 4.3.—WAKE COUNTY 2015 MVEB WITH SAFETY MARGIN INCLUDED

	2015 projected on-road emissions (tons per day)	Safety margin	2015 MVEB with safety margin
CO	282.39	101.88	384.27

TABLE 4.4.—FORSYTH COUNTY 2015 MVEB WITH SAFETY MARGIN INCLUDED

	2015 on-road emissions (tons per day)	Safety margin	MVEB with safety margin
CO	145.05	102.59	247.64

The MVEBs presented in Table 4.5 are directly reflective of the combined onroad (or "highway") emissions for the Charlotte, Raleigh-Durham, and Winston-Salem Areas for carbon monoxide, plus allocation from the

available safety margin. After allocation of the safety margin to the MVEBs there is no available safety margin for future allocation. In summary, the new carbon monoxide MVEBs for the year 2015 are 470.18 tpd for Mecklenburg County;

177.22 tpd for Durham County; 384.27 tpd for Wake County; and 247.64 tpd for Forsyth County. The MVEBs for the Charlotte, Raleigh-Durham, and Winston-Salem Areas that the

transportation partners must use are provided in the table below.

TABLE 4.5.—2015 MVEBS FOR CO
[Tons per day]

Mecklenburg County	470.18
Durham County	177.22
Wake County	384.27
Forsyth County	247.64

III. What Is EPA's Action on the Charlotte, Raleigh-Durham, and Winston-Salem Areas' Second 10-Year Maintenance Plan?

EPA is approving North Carolina's SIP revision pertaining to the Charlotte, Raleigh-Durham, and Winston-Salem Areas' second 10-year maintenance plan, including the new 2015 MVEBs for carbon monoxide.

IV. What Is an Adequacy Determination and What Are EPA's Adequacy Determinations for the Charlotte, Raleigh-Durham, and Winston-Salem Areas' New MVEBs for the Year 2015?

Under Section 176(c) of the CAA, new transportation projects, such as the construction of new highways, must "conform" to (i.e. be consistent with) the part of the State's air quality plan that addresses pollution from cars and trucks. "Conformity" to the SIP means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS. Under the transportation conformity rule, at 40 CFR part 93, projected emissions from transportation plans and programs must be equal to or less than MVEBs for the area. If a transportation plan does not "conform," most new projects that would expand the capacity of roadways cannot go forward. Regulations at 40 CFR part 93 set forth EPA policy, criteria and procedures for demonstrating and assuring conformity of such transportation activities to a SIP.

Until MVEBs in a SIP submittal are approved by EPA, they cannot be used for transportation conformity purposes unless EPA makes an affirmative finding that the MVEBs contained therein are "adequate." Once EPA affirmatively finds the submitted MVEBs adequate for transportation conformity purposes, those MVEBs can be used by the State and Federal agencies in determining whether proposed transportation projects "conform" to the SIP even though the approval of the SIP revision containing those MVEBs has not yet been finalized. EPA's substantive criteria for determining "adequacy" of MVEBs in submitted SIPs are set out in

EPA's Transportation Conformity Rule at 40 CFR 93.118(e)(4).

Through this rulemaking, EPA is providing information on the status of its transportation conformity adequacy determination for new MVEBs for the year 2015 that are contained in the second 10-year maintenance plan for the Charlotte, Raleigh-Durham, and Winston-Salem Areas. The adequacy comment period for the 2015 MVEBs began on March 29, 2005, with EPA's posting of availability of this submittal on EPA's Adequacy Web site (at <http://www.epa.gov/otaq/transp.htm>). The adequacy comment period for these MVEBs closed on April 28, 2005. No comments on this submittal were received during EPA's adequacy comment period.

In a letter dated April 29, 2005, to B. Keith Overcash, Director of the Division of Air Quality NCDENR, EPA informed the State of its intention to find the new 2015 MVEBs for carbon monoxide adequate for transportation conformity purposes. Subsequently, in a Final Federal Register notice dated May 6, 2005, (70 FR 24037) EPA found the Charlotte, Raleigh-Durham, and Winston-Salem Areas' 2015 carbon monoxide MVEBs adequate. These MVEBs meet the adequacy criteria contained in the Transportation Conformity Rule. The 2015 MVEBs for the Charlotte, Raleigh-Durham, and Winston-Salem Areas are currently being used for transportation conformity determinations. For regional emission analysis years that involve the year 2015 or beyond, the applicable budget for the purposes of conducting transportation conformity analysis will be the following 2015 MVEBs for carbon monoxide: 470.18 tpd for Mecklenburg County; 177.22 tpd for Durham County; 384.27 tpd for Wake County; and 247.64 tpd for Forsyth County.

V. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small

entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely affects the status of a geographical area, does not impose any new requirements on sources or allow a state to avoid adopting or implementing other requirements, and does not alter the relationship or the distribution of power and responsibilities established in the CAA. This rule also is not subject to Executive Order 13045 "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the CAA. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. section 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996,

generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. section 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by May 23, 2006. Filing a petition for reconsideration by the

Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Reporting and recordkeeping requirements, Intergovernmental relations, Ozone.

Dated: March 14, 2006.

A. Stanley Maiburg,
Acting Regional Administrator, Region 4.

■ 40 CFR part 52, is amended as follows:

PART 52—[AMENDED]

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart II—North Carolina

■ 2. Section 52.1770 (e) is amended by adding a new entry at the end of the table for "Charlotte, Raleigh-Durham, and Winston-Salem Carbon Monoxide Second 10-Year Maintenance Plan" to read as follows:

§ 52.1770 Identification of plan.

* * * * *

(e) * * *

EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS

Provision	State effective date	EPA approval date	Federal Register citation
Charlotte, Raleigh-Durham, and Winston-Salem Carbon Monoxide Second 10-Year Maintenance Plan.	March 18, 2005	March 24, 2006	[Insert first page of publication]

[FR Doc. 06-2870 Filed 3-23-06; 8:45 am]
BILLING CODE 6560-50-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 3100

[WO-310-1310-PP-241A]

RIN 1004-AD83

Oil and Gas Lease Acreage Limitation Exemptions and Reinstatement of Oil and Gas Leases

AGENCY: Bureau of Land Management, Department of the Interior.

ACTION: Final rule.

SUMMARY: The Bureau of Land Management (BLM) is issuing this final rule to amend its regulations to conform to provisions of the Energy Policy Act of 2005 (EPAAct) that changed oil and gas lease acreage limitations and oil and gas lease reinstatement provisions. Section 352 of the EPAAct expands the types of lease holdings that are exempt from the lease acreage holding limitations. Section 371 of the EPAAct extends the time to file a lease reinstatement petition from 15 months to 24 months.

DATES: This final rule is effective March 24, 2006.

FOR FURTHER INFORMATION CONTACT: Jay Douglas in the Fluid Minerals Group at (202) 452-0336. For assistance in reaching Mr. Douglas, persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339, 24 hours a day, 7 days a week.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Discussion of the Final Rule
- III. Procedural Matters

I. Background

Section 184(d) of the Mineral Leasing Act of 1920 limited the amount of acreage a Federal oil and gas lessee may hold in any one state to 246,080 acres. That section also provides that certain types of acreage holdings are exempt from those limitations. Section 352 of the EPAAct amended the Mineral Leasing Act to expand the types of acreage holdings that are exempt from the limitations imposed by the Act.

Section 188(d) of the Mineral Leasing Act of 1920 provides for reinstatement, under certain circumstances, of Federal oil and gas leases that were terminated for nonpayment of rental. Section 371 of the EPAAct amended that section of the

Act by extending the maximum time for a lessee to submit a petition for reinstatement to the BLM.

The BLM finds good cause to omit the general notice of proposed rulemaking required by 5 U.S.C. 553(b). The notice and comment are unnecessary because the terms of the EPAAct are very clear and provide no room for interpretation. Both changes are required by the EPAAct, are not discretionary on the part of the Secretary of the Interior, and would implement clear and mandatory provisions of a recently enacted statute. For all the reasons noted above, the BLM further finds good cause to waive the delay in effectiveness in 5 U.S.C. 553(d). In addition, the provisions of the revised regulations do not require any change in conduct by the public and have been known to the public since the EPAAct's enactment in August 2005.

II. Discussion of the Final Rule

This final rule will implement the changes to the 43 CFR Part 3100 regulations that are required because of amendments Sections 352 and 371 of the EPAAct made to the Mineral Leasing Act. A section-by-section discussion of the changes follows:

Section 3101.2-3 Excepted Acreage

This section is revised to add the following to the list of acreage that will



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

February 2, 2011

Shelia C. Holman, Director
Division of Air Quality
North Carolina Department of
Environment and Natural Resources
1641 Mail Service Center
Raleigh, North Carolina 27699

Dear Ms. Holman:

Thank you for the December 22, 2010, supplement to the December 18, 2009, maintenance plan submittal for the Greensboro/Winston-Salem/Highpoint (Triad), North Carolina 1997 annual fine particulate matter (PM_{2.5}) nonattainment area. This supplement replaces the Mobile6.2 sub-area motor vehicle emissions budgets (MVEBs) with Motor Vehicle Emissions Simulator (MOVES) based sub-area MVEBs for nitrogen oxides (NO_x) and direct PM_{2.5}. The Triad area is comprised of the entire counties of Guilford and Davidson.

Pursuant to Section 93.118(e)(4) of the Transportation Conformity Rule (40 CFR Part 93, Subpart A), the U.S. Environmental Protection Agency (EPA) has reviewed North Carolina's supplemental information for the MOVES based NO_x and direct PM_{2.5} sub-area MVEBs in the Triad area. We have determined that the supplemental information with the MOVES based sub-area MVEBs for Guilford and Davidson counties, North Carolina are adequate for transportation conformity purposes.

North Carolina's 1997 annual PM_{2.5} maintenance plan supplement has 2011 and 2021 MOVES sub-area MVEBs. The sub-area MVEBs are presented in the table below.

Triad, North Carolina Annual PM_{2.5} MVEBS
[kilograms/year]

Guilford County Sub-area MVEB		
	2011	2021
NO _x	11,133,605	6,309,650
PM _{2.5}	421,841	421,841
Davidson County Sub-area MVEB		
	2011	2021
NO _x	4,086,413	2,148,938
PM _{2.5}	153,313	153,313

These MVEBs meet the standard requirement that any MVEBs must meet before it can be used to determine conformity for a transportation improvement program or long range transportation plan. This adequacy finding does not relate to the merits of the SIP submittal nor does it indicate whether the submittal meets the requirements for approval.

EPA opened a comment period on the adequacy of the NO_x and direct PM_{2.5} sub-area MVEBs contained in the Triad, North Carolina PM_{2.5} maintenance plan supplement by posting it on our website on November 23, 2010 (See www.epa.gov/otaq/transp/conform/adequacy.htm). The comment period closed on December 23, 2010. No comments were received during EPA's adequacy comment period.

More information on SIPs and adequacy reviews is available on the EPA web site. EPA will soon publish a notice in the Federal Register announcing this adequacy finding. The Federal Register will also announce the date that the adequacy finding becomes effective. The 2011 and 2021 sub-area MVEBs will be available for use on the effective date.

EPA has considered these sub-area MVEBs in light of the current status of the Clean Air Interstate Rule (CAIR). The District of Columbia (D.C.) Circuit Court issued a decision on July 11, 2008, vacating CAIR. North Carolina v. EPA, 531 F.3d 896 (D.C. Cir. 2008). On September 24, 2008, EPA and other parties in the case filed motion for rehearing asking the D.C. Circuit to reconsider its decision in the case. On December 23, 2008, the court granted EPA's motion for rehearing and remanded CAIR to EPA for further rulemaking consistent with the courts' July 11, 2008, opinion. However, the court did not vacate CAIR in that decision; thus, the CAIR rule remains in place.

On August 2, 2010 (75 FR 45210), EPA proposed the Air Pollution Transport Rule (Transport Rule) as a replacement for the remanded CAIR rule. EPA anticipates finalizing the Transport Rule in June 2011. EPA has reviewed these sub-area MVEBs in light of the remand of the CAIR rule and the proposed Transport Rule and has concluded that the budgets meet the conformity rule's adequacy criteria found at 40 CFR 93.118(e)(4). In particular, EPA has concluded that the budgets satisfy the requirements of 40 CFR 93.118(e)(4)(iv), which requires that the budget(s), when considered together with all other emissions sources, is consistent with applicable requirements for, reasonable further progress, attainment or maintenance (whichever is relevant to the given implementation plan submission). EPA bases this conclusion on the overall declining emissions from all sources in the nonattainment area, and the current state of air quality.

If you have any questions, please feel free to call Richard A. Schutt of the EPA Region 4 staff at (404) 562-9033 or myself at (404) 562-9326.

Sincerely,



Beverly H. Banister
Director
Air, Pesticides, and Toxics
Management Division

EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS

Provision	State effective date	EPA approval date	Federal Register citation
* * * *	*	*	*
1997 Annual PM _{2.5} Maintenance Plan for the Hickory, North Carolina Area (Catawba County).	12/18/09	11/18/11	[Insert citation of publication].
1997 Annual PM _{2.5} Maintenance Plan for the Hickory, North Carolina Area—MOVES Update.	12/22/10	11/18/11	[Insert citation of publication].

PART 81—[AMENDED]

■ 3. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

■ 4. In § 81.334, the table entitled “North Carolina—PM_{2.5} (Annual NAAQS)” is amended under “Hickory-Morganton-Lenoir, NC” by revising the

entry for "Catawba County" to read as follows:

§ 81.334 North Carolina.

* * * * *

NORTH CAROLINA—PM_{2.5} (ANNUAL NAAQS)

Designated area	Designation ^a				
	Date ¹				Type
*	*	*	*	*	*
Hickory-Morganton-Lenoir, NC:					
Catawba County	This action is effective 11/18/11				Attainment.
*	*	*	*	*	*

^a Includes Indian Country located in each county or area, except as otherwise specified.

¹ This date is 90 days after January 5, 2005, unless otherwise noted.

[FR Doc. 2011-29769 Filed 11-17-11; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION
AGENCY

40 CFR Parts 52 and 81

[EPA-R04-OAR-2009-1011-201159; FRL-9493-6]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; North Carolina: Redesignation of the Greensboro-Winston-Salem-High Point 1997 Annual Fine Particulate Matter Nonattainment Area to Attainment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correcting amendment.

SUMMARY: EPA is taking final action to approve a request submitted on December 18, 2009, and supplemented on December 22, 2010, from the State of North Carolina, through the North Carolina Department of Environment and Natural Resources (NC DENR), Division of Air Quality (DAQ), to

redesignate the Greensboro-Winston-Salem-High Point fine particulate matter (PM_{2.5}) nonattainment area (hereafter the “Greensboro Area” or “Area”) to attainment for the 1997 Annual PM_{2.5} National Ambient Air Quality Standards (NAAQS). The Greensboro Area is comprised of Davidson and Guilford Counties in their entirety. EPA’s approval of the redesignation request is based on the determination that the State of North Carolina has met the criteria for redesignation to attainment set forth in the Clean Air Act (CAA or Act), including the determination that the Greensboro Area has attained the 1997 Annual PM_{2.5} NAAQS by its applicable attainment date of April 5, 2010. Additionally, EPA is approving a revision to the North Carolina State Implementation Plan (SIP) to include the 1997 Annual PM_{2.5} maintenance plan for the Greensboro Area that contains the new 2011 and 2021 motor vehicle emission budgets (MVEBs) for nitrogen oxides (NO_x) and PM_{2.5} for both Davidson and Guilford Counties. This action also approves the emissions inventory submitted with the maintenance plan. Further, EPA is correcting a typographical error for the citation associated with a previous adequacy finding the Agency made for

the NO_x and PM_{2.5} MVEBs for both Davidson and Guilford Counties.

DATES: *Effective Date:* This rule will be effective December 19, 2011.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA-R04-OAR-2009-1011. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, i.e., Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through <http://www.regulations.gov> or in hard copy at the Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are

Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Madolyn Dominy or Joel Huey, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. Madolyn Dominy may be reached by phone at (404) 562-9644 or via electronic mail at dominy.madolyn@epa.gov. Joel Huey may be reached by phone at (404) 562-9104 or via electronic mail at huey.joel@epa.gov.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. What is the background for the actions?
- II. What are the actions EPA is taking?
- III. Why is EPA taking these actions?
- IV. What are the effects of these actions?
- V. Final Action
- VI. Statutory and Executive Order Reviews

I. What is the background for the actions?

On December 18, 2009, and supplemented on December 22, 2010, the State of North Carolina, through NC DENR, submitted a request to redesignate the Greensboro Area to attainment for the 1997 Annual PM_{2.5} NAAQS and for EPA approval of the North Carolina SIP revisions containing a maintenance plan for the Area. In an action published on September 26, 2011 (76 FR 59345), EPA proposed approval of North Carolina's plan for maintaining the 1997 Annual PM_{2.5} NAAQS,

including the emissions inventory submitted pursuant to CAA section 172(c)(3) and the NO_x and PM_{2.5} MVEBs for Davidson and Guilford Counties in the Greensboro Area as contained in the maintenance plan. At that time, EPA also proposed to approve the redesignation of the Greensboro Area to attainment. Additional background for today's action is set forth in EPA's September 26, 2011, proposal.

The MVEBs, specified in kilograms per year (kg/yr), included in the maintenance plan are as follows:

TABLE 1—DAVIDSON COUNTY MVEBS
[kg/yr]

Conformity MVEB	2011	2021
NO _x	4,086,413	2,148,938
PM _{2.5}	153,313	153,313

TABLE 2—GUILFORD COUNTY MVEBS
[kg/year]

Conformity MVEB	2011	2021
NO _x	11,133,605	6,309,650
PM _{2.5}	421,841	421,841

In its September 26, 2011, proposed action, EPA noted that the adequacy public comment period on these MVEBs (as contained in North Carolina's submittal) began on November 23, 2010, and closed on December 23, 2010. No comments were received during the public comment period. Thus, EPA

deemed the new MVEBs for Davidson and Guilford Counties in the Greensboro Area adequate for the purposes of transportation conformity on May 2, 2011 (76 FR 24474).

As stated in the September 26, 2011, proposal, this redesignation addresses the Greensboro Area's status solely with respect to the 1997 Annual PM_{2.5} NAAQS, for which designations were finalized on January 5, 2005 (70 FR 944), and as supplemented on April 14, 2005 (70 FR 19844).

EPA reviewed PM_{2.5} monitoring data from ambient PM_{2.5} monitoring stations in the Greensboro Area for the PM_{2.5} seasons from 2007–2009. These data have been quality-assured and are recorded in Air Quality System (AQS). The annual arithmetic mean PM_{2.5} concentrations for 2006–2009 and the 3-year averages of these values (*i.e.*, design values) are summarized in Table 3. EPA has reviewed more recent data which indicate that the Greensboro Area continues to attain the 1997 PM_{2.5} NAAQS. The design values for 2007–2009 and 2008–2010 are also included in Table 3 and demonstrate that the Greensboro Area continues to meet the PM_{2.5} NAAQS and that the ambient concentrations of PM_{2.5} are continuing to decrease in the Area. Preliminary monitoring data for the 2011 PM_{2.5} season indicate that the Area is continuing to attain the 1997 Annual PM_{2.5} NAAQS based on data from 2009–2011. These preliminary data are available in the docket for today's action although they are not yet certified.

TABLE 3—DESIGN VALUE CONCENTRATIONS FOR THE GREENSBORO 1997 ANNUAL PM_{2.5} NONATTAINMENT AREA (μg/m³)

County	Site name	Monitor ID	Annual average PM _{2.5} concentrations (μg/m ³)				
			2006	2007	2008	2009	2010
Davidson	Lexington	37-057-0002	15.13	14.64	13.61	10.61	12.1
Guilford	Mendenhall	37-081-0013	14.5	13.14	11.41	9.31	10.4
Guilford	Colfax	37-035-0014	N/A	N/A	12.32	9.63	10.5
			Three-year PM _{2.5} design values (μg/m ³)				
			2006–2008		2007–2009		2008–2010
Davidson	Lexington	37-057-0002	14.5		13.0		12.1
Guilford	Mendenhall	37-081-0013	13.0		11.3		10.4
Guilford	Colfax	37-035-0014	N/A		N/A		10.8

II. What are the actions EPA is taking?

In today's rulemaking, EPA is approving: (1) North Carolina's emissions inventory which was submitted pursuant to CAA section 172(c)(3); (2) North Carolina's 1997 Annual PM_{2.5} maintenance plan (such approval being one of the CAA criteria

for redesignation to attainment status) for the Greensboro Area, including MVEBs; and (3) North Carolina's redesignation request to change the legal designation of the Greensboro Area from nonattainment to attainment for the 1997 Annual PM_{2.5} NAAQS. The maintenance plan is designed to

demonstrate that the Greensboro Area will continue to attain the 1997 Annual PM_{2.5} NAAQS through 2021. EPA's approval of the redesignation request is based on EPA's determination that the Greensboro Area meets the criteria for redesignation set forth in CAA, sections 107(d)(3)(E) and 175A, including EPA's

determination that the Greensboro Area has attained the 1997 Annual PM_{2.5} NAAQS. EPA's analyses of North Carolina's redesignation request, emissions inventory, and maintenance plan are described in detail in the September 26, 2011, proposed rule (76 FR 59345).

Consistent with the CAA, the maintenance plan that EPA is approving also includes 2011 and 2021 MVEBs for NO_x and PM_{2.5} for Davidson and Guilford Counties in the Greensboro Area. In this action, EPA is approving these NO_x and PM_{2.5} MVEBs for the purposes of transportation conformity. For required regional emissions analysis years beyond 2011 and prior to 2021, the applicable budgets will be the new 2011 MVEBs. For required regional emissions analysis years that involve 2021 or beyond, the applicable budgets will be the new 2021 MVEBs.

EPA is also correcting an inadvertent typographical error for the citation (in EPA's September 26, 2011, proposed rulemaking) associated with EPA's adequacy finding for the NO_x and PM_{2.5} MVEB for Davidson and Guilford Counties. In EPA's September 26, 2011, proposed rulemaking, EPA provides the citation for the adequacy determination for the NO_x and PM_{2.5} MVEBs as 76 FR 24472 in the last paragraph of the section entitled "VIII. What Is the Status of EPA's Adequacy Determination for the Proposed PM_{2.5} and NO_x MVEBs for 2011 and 2021 for the Greensboro Area?" and in the second to last paragraph in the section entitled "X. Proposed Actions on the Redesignation Request and Maintenance Plan SIP Revisions Including Approval of the PM_{2.5} and NO_x MVEBs for 2011 and 2021 for the Greensboro Area." The correct citation is 76 FR 24474. Through this action, EPA is making this correction.

III. Why is EPA taking these actions?

EPA has determined that the Greensboro Area has attained the 1997 Annual PM_{2.5} NAAQS and has also determined that all other criteria for the redesignation of the Greensboro Area from nonattainment to attainment of the 1997 Annual PM_{2.5} NAAQS have been met. See CAA section 107(d)(3)(E). One of those requirements is that the Greensboro Area has an approved plan demonstrating maintenance of the 1997 Annual PM_{2.5} NAAQS. EPA is also taking final action to approve the maintenance plan for the Greensboro Area as meeting the requirements of sections 175A and 107(d)(3)(E) of the CAA. In addition, EPA is approving the emissions inventory as meeting the requirements of section 172(c)(3) of the

CAA. Finally, EPA is approving the new NO_x and PM_{2.5} MVEBs for the years 2011 and 2021 as contained in North Carolina's maintenance plan for Davidson and Guilford Counties in the Greensboro Area because these MVEBs are consistent with maintenance of the 1997 Annual PM_{2.5} standard in the Greensboro Area. The detailed rationale for EPA's findings and actions are set forth in the proposed rulemaking and in other discussion in this final rulemaking.

IV. What are the effects of these actions?

Approval of the redesignation request changes the legal designation of Davidson and Guilford Counties in their entirety from nonattainment to attainment for the 1997 Annual PM_{2.5} NAAQS. EPA is modifying the regulatory table in 40 CFR 81.334 to reflect a designation of attainment for these full and partial counties. EPA is also approving, as a revision to the North Carolina SIP, North Carolina's plan for maintaining the 1997 Annual PM_{2.5} NAAQS in the Greensboro Area through 2021. The maintenance plan includes contingency measures to remedy possible future violations of the 1997 Annual PM_{2.5} NAAQS and establishes NO_x and PM_{2.5} MVEBs for the years 2011 and 2021 for the Greensboro Area. Additionally, this action approves the emissions inventory for the Greensboro Area pursuant to section 172(c)(3) of the CAA.

V. Final Action

EPA is taking final action to approve the redesignation and change the legal designation of Davidson and Guilford Counties in their entirety from nonattainment to attainment for the 1997 Annual PM_{2.5} NAAQS. EPA is also approving into the North Carolina SIP the 1997 Annual PM_{2.5} maintenance plan for the Greensboro Area. For Davidson County, the maintenance plan includes the new MVEBs of 4,086,413 kg/yr of NO_x and 153,313 kg/yr of PM_{2.5} for 2011 and 2,148,938 kg/yr of NO_x and 153,313 kg/yr of PM_{2.5} for 2021. Further, for Guilford County, the maintenance plan includes the new MVEBs of 11,133,605 kg/yr of NO_x and 421,841 kg/yr of PM_{2.5} for 2011 and 6,309,650 kg/yr of NO_x and 421,841 kg/yr of PM_{2.5} for 2021.

Additionally, EPA is approving the 2008 emissions inventory for the Greensboro Area pursuant to section 172(c)(3) of the CAA. In a previous action, EPA found the new Greensboro Area MVEBs adequate for the purposes of transportation conformity (76 FR 24474, May 2, 2011). Within 24 months

from the effective date of EPA's adequacy finding for the MVEBs, the transportation partners are required to demonstrate conformity to the new PM_{2.5} and NO_x MVEBs pursuant to 40 CFR 93.104(e).

VI. Statutory and Executive Order Reviews

Under the CAA, redesignation of an area to attainment and the accompanying approval of the maintenance plan under CAA section 107(d)(3)(E) are actions that affect the status of geographical area and do not impose any additional regulatory requirements on sources beyond those required by state law. A redesignation to attainment does not in and of itself impose any new requirements, but rather results in the application of requirements contained in the CAA for areas that have been redesignated to attainment. Moreover, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For these reasons, these actions:

- Are not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Do not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Are certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Do not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- Do not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Are not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Are not significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Are not subject to requirements of Section 12(d) of the National

Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

- Do not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this final rule does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on Tribal governments or preempt Tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate,

the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by January 17, 2012. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

40 CFR Part 81

Environmental protection, Air pollution control, National parks.

Dated: November 7, 2011.

A. Stanley Meiburg,
Acting Regional Administrator, Region 4.

40 CFR parts 52 and 81 are amended as follows:

PART 52—[AMENDED]

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart II—North Carolina

■ 2. Section 52.1770(e) is amended by adding new entries "1997 Annual PM_{2.5} Maintenance Plan for the Greensboro, North Carolina Area (Davidson and Guilford Counties)" and "1997 Annual PM_{2.5} Maintenance Plan for the Greensboro, North Carolina Area—MOVES Update" at the end of the table to read as follows:

§ 52.1770 Identification of plan.

* * * * *

(e) * * *

EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS

Provision	State effective date	EPA approval date	Federal Register citation
* * *			
1997 Annual PM _{2.5} Maintenance Plan for the Greensboro, North Carolina Area (Davidson and Guilford Counties).	12/18/09	11/18/11	[Insert citation of publication].
1997 Annual PM _{2.5} Maintenance Plan for the Greensboro, North Carolina Area—MOVES Update.	12/22/10	11/18/11	[Insert citation of publication].

PART 81—[AMENDED]

■ 1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

■ 2. In § 81.334, the table entitled "North Carolina—PM_{2.5} (Annual NAAQS)" is amended under "Greensboro-Winston Salem-High Point, NC" by revising the entries for

"Davidson County" and "Guilford County" to read as follows:

§ 81.334 North Carolina.

* * * * *

NORTH CAROLINA—PM_{2.5}—(ANNUAL NAAQS)

Designated area	Designation ^a	
	Date ¹	Type
Greensboro-Winston Salem-High Point, NC:		
Davidson County	This action is effective 11/18/11	Attainment.
Guilford County	This action is effective 11/18/11	Attainment.
* * *		

^a Includes Indian Country located in each county or area, except as otherwise specified.

¹ This date is 90 days after January 5, 2005, unless otherwise noted.